



**DEPARTMENT OF WATER MANAGEMENT  
CITY OF CHICAGO**

July 9, 2019

Matt Chapman  
MuckRock News  
DEPT MR 76331  
411A Highland Ave.  
Somerville, MA 02144

**FREEDOM OF INFORMATION**

**RE: 19-FR-682**

Dear Mr. Chapman,

On behalf of the City of Chicago Department of Water Management, I am responding to your Freedom of Information Act ("FOIA") request, which was received by this office on July 1, 2019 for the following documents:

***"A copy of all intergovernmental agreements."***

Your request seeking "A copy of all intergovernmental agreements" does not sufficiently identify the records you are seeking, and is therefore unduly burdensome.

Section 3(g) of FOIA provides that "[r]equests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information." 5 ILCS 140/3(g).

In order to comply with your request as written, the Department of Water Management would need to identify, procure and review tens of thousands of records and would require at least a month working exclusively on just this request. Without direction from you as to which subject matter records you seek and from which timeframe, such an endeavor would pose an undue burden on the operations of this department. As the Illinois Attorney General's Public Access Counselor has noted (see 2017 PAC 47756, issued June 20, 2017), Illinois courts have held, "[a] request to inspect or copy must reasonably identify a public record[.]" *Chicago Tribune Co. v. Dept. of Financial and Professional Regulation*, 2014 IL App (4th) 130427, par. 33. **A FOIA request "reasonably describes records if 'the agency is able to determine precisely what records are being requested.'" Kowalczyk v. Dept. of Justice**, 73 F.3d 386, 388 (D.C. Cir. 1996) (quoting *Yeager v. Drug Enforcement Admin.*, 678 F.2d 315, 326 (D.C. Cir. 1982)).

Therefore, it is necessary that your FOIA request seeking “*A copy of all intergovernmental agreements*” records be narrowed and clarified. If you would like assistance in narrowing your request, please contact me, and I will assist you.

Otherwise, as explained above, as your FOIA request is currently drafted, the Department of Water Management is unable to respond to the request.

In the event that we do not receive a narrowed request and your current FOIA request is therefore denied, you will have a right of review by the Illinois Attorney General’s Public Access Counselor, who can be contacted at 500 S. Second St., Springfield, IL 62706 or by telephone at (217) 558-0486. You also have the right to seek judicial review of your denial by filing a lawsuit in Cook County Circuit Court.

Sincerely,

A handwritten signature in black ink that reads "Angel Hawthorne". The signature is written in a cursive, flowing style.

Angel Hawthorne  
Freedom of Information Office  
Department of Water Management  
[DWMFoia@cityofchicago.org](mailto:DWMFoia@cityofchicago.org)